



STATE OF WISCONSIN

Senate Journal

Ninety–Eighth Regular Session

11:00 A.M.

TUESDAY, February 27, 2007

The Senate met.

The Senate was called to order by President Risser.

CALL OF ROLL

The roll was called and the following Senators answered to their names:

Senators Breske, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Roessler, Schultz, Sullivan, Taylor, Vinehout and Wirsch – 33.

Absent – None.

Absent with leave – None.

The Senate stood for a moment of silent meditation.

The Senate remained standing and Senator Cowles led the Senate in the pledge of allegiance to the flag of the United States of America.

INTRODUCTION, FIRST READING, AND REFERENCE OF PROPOSALS; REFERENCE OF APPOINTMENTS

Read first time and referred:

Senate Bill 73

Relating to: creating an income and franchise tax credit for constructing and operating a data center that is designed for maximum energy efficiency and minimum environmental impact and providing an exemption from rule-making procedures.

By Senators Kanavas, Darling and Leibham; cosponsored by Representatives Strachota, Hahn, Petrowski, Pridemore, Kleefisch and Gunderson.

To committee on **Campaign Finance Reform, Rural Issues and Information Technology**.

Senate Bill 74

Relating to: creating an income and franchise tax credit for eligible innovation projects and project facilities.

By Senators Kanavas, Darling, S. Fitzgerald, Kedzie, Leibham and Roessler; cosponsored by Representatives Kleefisch, Hahn, Van Roy, Pridemore and Gunderson.

To committee on **Economic Development, Job Creation, Family Prosperity and Housing**.

Senate Bill 75

Relating to: requiring an employer to reasonably accommodate an employee who is pregnant or who is breast-feeding her child.

By Senators Lassa, Lehman, Risser and Plale; cosponsored by Representatives Cullen, Zepnick, Sheridan, Boyle, Black, Young, Turner, Berceau, Mason and Sinicki.

To committee on **Economic Development, Job Creation, Family Prosperity and Housing**.

Senate Bill 76

Relating to: eligibility for and deductible amounts under the prescription drug assistance program for the elderly, providing an exemption from emergency rule procedures, and requiring the exercise of rule-making authority.

By Senators Hansen, Lehman, Wirsch, Schultz, Miller, Erpenbach, Breske, Plale, Lassa, Sullivan and Coggs; cosponsored by Representatives Soletski, Nelson, Shilling, Hubler, Grigsby, Sheridan, Staskunas, Pocan, Musser, A. Ott, Mason, Vruwink, Cullen, Hraychuck, Sinicki and Seidel.

To committee on **Public Health, Senior Issues, Long Term Care and Privacy**.

PETITIONS AND COMMUNICATIONS

Pursuant to Senate Rule 17(5), Senator Miller added as a cosponsor of **Assembly Joint Resolution 11**.

REFERRALS AND RECEIPT OF COMMITTEE REPORTS CONCERNING PROPOSED ADMINISTRATIVE RULES

Senate Clearinghouse Rule 06–094

Relating to the youth options program.

Submitted by Department of Public Instruction.

Report received from Agency, February 26, 2007.

Referred to committee on **Education**, February 27, 2007.

Senate Clearinghouse Rule 06–098

Relating to grants for high cost special education.

Submitted by Department of Public Instruction.

Report received from Agency, February 26, 2007.

Referred to committee on **Education**, February 27, 2007.

Senator Robson, with unanimous consent, asked that **Senate Joint Resolution 8** be withdrawn and taken up at this time.

Senate Joint Resolution 8

Relating to: commending the University of Wisconsin–Madison Badger football team.

Adopted.

Senator Robson, with unanimous consent, asked that all members of the Senate be made coauthors of **Senate Joint Resolution 8**.

Senator Robson, with unanimous consent, asked that **Senate Joint Resolution 12** be withdrawn and taken up at this time.

Senate Joint Resolution 12

Relating to: commending Joe Thomas for his athletic achievements.

Adopted.

Senator Robson, with unanimous consent, asked that all members of the Senate be made coauthors of **Senate Joint Resolution 12**.

Senator Robson, with unanimous consent, asked that Bret Bielema, the head coach of the Wisconsin Badgers Football Team, be allowed to address the members from the rostrum.

Senator Robson, with unanimous consent, asked that the Senate recess.

11:12 A.M.

RECESS

11:25 A.M.

The Senate reconvened.

President Risser in the chair.

ADVICE AND CONSENT OF THE SENATE

Senator Robson, with unanimous consent, asked that all appointments be taken up en masse and that the reading be dispensed.

LYNCH, TERRY, of Racine, as a member of the Board on Aging and Long Term Care, to serve for the term ending May 1, 2011.

SHEEHAN, HEATHER, of Hayward, as a member of the Nursing Home Administrator Examining Board, to serve for the term ending July 1, 2010.

The question was: Confirmation?

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Roessler, Schultz, Sullivan, Taylor, Vinehout and Wirch – 33.

Noes – None.

Absent or not voting – None.

Confirmed.

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND JOINT RESOLUTIONS NOT REQUIRING A THIRD READING

Senate Joint Resolution 17

Relating to: declaring March 2007 American Red Cross Month.

Adopted.

Senator Robson, with unanimous consent, asked that all members of the Senate be made coauthors of **Senate Joint Resolution 17**.

Assembly Joint Resolution 6

Relating to: the life and public service of Doris J. Hanson.

Concurred in by unanimous rising vote.

Senator Robson, with unanimous consent, asked that all members of the Senate be added as cosponsors of **Assembly Joint Resolution 6**.

Assembly Joint Resolution 8

Relating to: the life and public service of Robert L. Quackenbush.

Concurred in by unanimous rising vote.

Senator Robson, with unanimous consent, asked that all members of the Senate be added as cosponsors of **Assembly Joint Resolution 8**.

Assembly Joint Resolution 9

Relating to: celebrating March 1, 2007, as St. David's Day.

The question was: Shall **Assembly Joint Resolution 9** be concurred in?

Concurred in.

Assembly Joint Resolution 11

Relating to: the life and public service of President Gerald R. Ford.

The question was: Shall **Assembly Joint Resolution 11** be concurred in?

Concurred in.

SECOND READING AND AMENDMENTS OF SENATE JOINT RESOLUTIONS AND SENATE BILLS

Senate Bill 9

Relating to: the administration by a dentist of oral medication to induce conscious sedation.

Read a second time.

Senator Robson, with unanimous consent, asked that **Senate Bill 9** be referred to committee on **Health and Human Services**.

Referred.

Senate Bill 11

Relating to: time-share licenses.

Read a second time.

Ordered to a third reading.

Senator Robson, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 11

Read a third time and passed.

Senate Bill 13

Relating to: allowing access to pending paternity proceeding information for purposes of administering the child support establishment program.

Read a second time.

Ordered to a third reading.

Senator Robson, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 13

Read a third time and passed.

Senate Bill 28

Relating to: exemption from construction standards for certain load-bearing dimension lumber.

Read a second time.

Ordered to a third reading.

Senator Robson, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 28

Read a third time.

The ayes and noes were required and the vote was: ayes, 32; noes, 1; absent or not voting, 0; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Roessler, Schultz, Sullivan, Taylor, Vinehout and Wirch – 32.

Noes – Senator Grothman – 1.

Absent or not voting – None.

Passed.

Senate Bill 52

Relating to: daylight saving time and closing hours for certain alcohol beverages retailers.

Read a second time.

Ordered to a third reading.

Senator Robson, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 52

Read a third time and passed.

**SECOND READING AND AMENDMENTS
OF ASSEMBLY JOINT RESOLUTIONS AND
ASSEMBLY BILLS**

Assembly Bill 19

Relating to: the filing of certain forms related to tax incremental financing district number 3 in the village of Edgar.

Read a second time.

Ordered to a third reading.

Senator Robson, with unanimous consent, asked that the bill be considered for final action at this time.

Assembly Bill 19

Read a third time.

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Roessler, Schultz, Sullivan, Taylor, Vinehout and Wirch – 33.

Noes – None.

Absent or not voting – None.

Concurred in.

Senator Robson, with unanimous consent, asked that all Senate action be immediately messaged to the Assembly.

Messaged.

**ANNOUNCEMENTS, ADJOURNMENT
HONORS, AND REMARKS UNDER
SPECIAL PRIVILEGE**

Senator Wirch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Renee Blise of Kenosha, who volunteers as a mentor in the Kenosha Unified School District.

Senator Lassa, with unanimous consent, asked that when the Senate adjourn, it do so in honor of WIAA Wrestling Division 2, 130-pound Champion, Matt Theisen, who attends Adams-Friendship High School.

Senator Coggs, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the Hawley Environmental School that is celebrating its African-American History Month Programs today.

ADJOURNMENT

Senator Robson, with unanimous consent, asked that the Senate adjourn until Thursday, March 1, 2007.

Adjourned.

12:26 P.M.